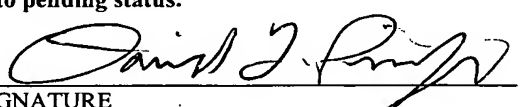


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|---|---|---|
| FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV. 02/2005)  |   | ATTORNEY'S DOCKET NUMBER<br>031529.00106                            |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>         DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>         CONCERNING A FILING UNDER 35 U.S.C. 371</b>   |   | U.S. APPLICATION NO. (35 U.S.C. 1.5)<br>60/494,378 <b>10/567634</b> |
| INTERNATIONAL APPLICATION NO.<br>PCT/US04/26468   | INTERNATIONAL FILING DATE<br>08/12/2004 | PRIORITY DATE CLAIMED<br>08/12/2003                                 |
| TITLE OF INVENTION<br>DEVICE FOR RETAINING A HEADED PIVOT ROD   |   |   |
| APPLICANT(S) FOR DO/EO/US<br>HABASIT AG   |   |   |
| <p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made, and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 to 20 below concern documents(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with the PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input type="checkbox"/> Other items or information:</li> </ol> |   |   |

|  |              |   |         |   |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
|--|--------------|---|---------|---|--------------|--------------|------|--|--|--------------|----------|---|---------|----|--|--------------------|--------|---|---------|----|--|---|--|--|---|---------|----|--|--|
| U.S. APPLICATION NO. 60/494,378  |              | INTERNATIONAL APPLICATION NO. PCT/US04/26468                                  |         | ATTORNEY'S DOCKET NUMBER 031529.00106   |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| The following fees have been submitted   |              |   |         | <b>CALCULATIONS    PTO USE ONLY</b>   |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| 21. ■ Basic national fee.....\$300   |              |   |         | \$ 300.00   |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| 22. ■ Examination Fee<br>If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....\$100<br>All other situations.....\$200  |              |   |         | \$ 200.00   |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| 23. ■ Search Fee<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100<br>International Search Report prepared and provided to the Office.....\$400<br>All other situations.....\$500   |              |   |         | \$ 100.00   |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| <b>TOTAL OF 21, 22 and 23 =</b>  |              |   |         | \$ 600.00   |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.   |              |   |         |   |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| Total Sheets   | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE    |   |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| - 100 =  | /50 =        |   | x \$250 | \$  |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).   |              |   |         | \$  |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">CLAIMS</td> <td style="width:15%;">NUMBER FILED</td> <td style="width:15%;">NUMBER EXTRA</td> <td style="width:15%;">RATE</td> <td style="width:15%;"></td> <td style="width:15%;"></td> </tr> <tr> <td>Total claims</td> <td>17- 20 =</td> <td>0</td> <td>x \$ 50</td> <td>\$</td> <td></td> </tr> <tr> <td>Independent claims</td> <td>3- 3 =</td> <td>0</td> <td>x \$200</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIMS (if applicable)</td> <td>0</td> <td>+ \$360</td> <td>\$</td> </tr> </table>  |              |   |         | CLAIMS  | NUMBER FILED | NUMBER EXTRA | RATE |  |  | Total claims | 17- 20 = | 0 | x \$ 50 | \$ |  | Independent claims | 3- 3 = | 0 | x \$200 | \$ |  | MULTIPLE DEPENDENT CLAIMS (if applicable) |  |  | 0 | + \$360 | \$ |  |  |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA  | RATE    |   |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| Total claims   | 17- 20 =     | 0   | x \$ 50 | \$  |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| Independent claims   | 3- 3 =       | 0   | x \$200 | \$  |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| MULTIPLE DEPENDENT CLAIMS (if applicable)  |              |   | 0       | + \$360   | \$           |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |              |   |         | \$ 600.00   |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.   |              |   |         |   |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| <b>SUBTOTAL =</b>  |              |   |         | \$ 600.00   |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).   |              |   |         | +   | \$           |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| <b>TOTAL NATIONAL FEE =</b>  |              |   |         | \$ 600.00   |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |              |   |         | +   | \$           |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| <b>TOTAL FEES ENCLOSED =</b>   |              |   |         | \$ 600.00   |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
|  |              |   |         | Amount to be refunded:  | \$           |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
|  |              |   |         | Amount to be charged:   | \$           |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
| <p>a. ■ A check in the amount of \$ 600.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 08-2442 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. ■ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-2442. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>David L. Principe<br/>Hodgson Russ LLP<br/>One M&amp;T Plaza, Suite 2000<br/>Buffalo, NY 14203</p> |              |   |         |   |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
|  |              |   |         | <br>SIGNATURE |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
|  |              |   |         | David L. Principe<br>NAME   |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |
|  |              |   |         | 39,336<br>REGISTRATION NUMBER   |              |              |      |  |  |              |          |   |         |    |  |                    |        |   |         |    |  |   |  |  |   |         |    |  |  |